

PROPOSED TEXT

Department of Food & Agriculture TITLE 3. CALIFORNIA CODE OF REGULATIONS SECTIONS 2676, 2681, 2735, AND 2783

Underline means proposed text.

~~Strikethrough~~ means deletions from the original text.

Amend Section 2676 to read:

2676. Safety and Efficacy of Drugs and Food Additives.

(cont'd)

(c) Premixes that contain more than 272.4 milligrams per pound (600 parts per million) ~~or more~~ added selenium shall be maintained by a daily inventory record that includes the following:

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14903, 15011, and 15041, Food and Agricultural Code.

Adopt Section 2681 to read:

Section 2681. Animal Proteins Prohibited in Ruminant Feed.

(a) The manufacture, distribution and use of commercial feed ~~for ruminant animals~~ containing protein derived from prohibited mammalian tissues shall comply with the requirements of Title 21, Code of Federal Regulations, Parts 589.2000, April 1, 2001.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14903, 15011, and 15041, Food and Agricultural Code.

Amend Section 2735 to read:

2735. Supplemental Cottonseed Product Controls.

This section supplements the control of cottonseed products to ensure that these products meet the tolerance for aflatoxin B₁, established in Section 2734(a) (6).

(a) Each lot, or truck, railcar, ship, barge, container, air transport, or any other means of transportation of cottonseed products originating outside of California, as a condition of entry into California, shall be accompanied by ~~documentation on a~~ the following:

~~(1) A completed form furnished by the secretary (Certificate of Movement of Cottonseed Products, Rev. 5-97), stating the origin and destination of the cottonseed products. and to the extent required within the state of origin such documents as required by that state, including, if so required,~~

~~(2) An analysis certificate showing reporting the results of laboratory sampling and laboratory testing for aflatoxin B₁, showing compliance with the aflatoxin B₁ tolerances stated in Section 2734 (a) (6), the name of the testing laboratory, and the testing laboratory report number representing the lot of cottonseed products identified on the certificate.~~

~~(3) A label with guaranteed analyses that complies with Section 2694 and Section 2783.~~

~~(b)~~ Shipment of cottonseed products, which do not meet the tolerance for aflatoxin B₁ established in Section 2734(a)(6), shall be refused entry into California, except for entry for transportation to a site operating under authority of the secretary for aflatoxin detoxification or oil extraction, with the exception of products intended for export or non-feed usage, or exempted by subsection (e) of this section.

~~(b)~~ ~~(c)~~ Documentation for all shipments, originating outside of California, by railcar, truck, ship, barge, container, or air transportation, with the exception of products intended for export or non-feed usage, shall be mailed to the Department on or before the shipment date and documents shall be affixed to, or accompany the lot to the purchaser. All truck shipments shall submit to inspection at California border stations and a copy of all required documentation shall accompany the lot to the purchaser. Failure to obtain such document inspection, or diversion after document inspection, shall be grounds for seizure and quarantine of the shipment.

~~(c)~~ ~~(d)~~ Cottonseed products originating in Riverside and Imperial counties of California shall move only to a detoxification or oil extraction site approved by the secretary, unless the products are certified by laboratory testing showing that the product is within the tolerance for aflatoxin B₁ established in Section 2734(a) (6). Such laboratory certifications shall be ~~made available to the secretary upon request.~~ affixed to, or accompany the lot to the purchaser.

~~(d)~~ Cottonseed products entering the State pursuant to Subsection (a) may be subject to sampling and analysis. Upon receipt of an official sample pursuant to Section 2675(b), at the Department's laboratory, the sample shall be ground, and divided into two approximately equal parts, one part of which shall be sealed and one part submitted for analysis. If the analysis is in excess of the tolerance established by Section 2734(a) (6) for aflatoxin,

~~the notice of analysis sent to the producer shall advise of the opportunity to have a sample sufficient for analysis sent to a certified laboratory. The producer may choose a certified laboratory for the analysis at the sole expense of the producer, provided that the request is made within ten (10) days from the date of mailing of the notice.~~

(e) Cottonseed meal exceeding the 20 ppb tolerance for aflatoxin B₁ but below the federal action level for aflatoxin B₁ of 300 ppb may be fed to beef cattle in Imperial County under the following conditions:

(1) Shipments into Imperial County shall be made by sealed trailer or sealed railcar.

(2) All cottonseed meal entering Imperial County that exceeds the 20 ppb tolerance for aflatoxin B₁ but below the federal action level for aflatoxin B₁ of 300 ppb shall be accompanied by an analysis certificate showing the results of laboratory sampling and testing, as required by Section 2735(a).

(3) All Imperial County beef cattle feedlots receiving shipments of cottonseed meal, meeting the requirements of Section 2735(e), shall sign the Certificate of Movement on Cottonseed Products and return it, as required by Section 2735(b), to the Department of Food and Agriculture, Division of Inspection Services, 1220 N Street, Room A-472, Sacramento, California, 95814.

(4) Once delivered to a beef cattle feedlot in Imperial County, cottonseed meal exceeding the 20 ppb tolerance for aflatoxin B₁ but below the federal action level for aflatoxin B₁ of 300 ppb shall not be removed from the feedlot premises except for testing purposes.

(5) It is a violation of Sections 15071, 15071.5 and 15072, Food and Agricultural Code, for any person to distribute, sell or transport or otherwise remove cottonseed meal exceeding the 20 ppb tolerance for aflatoxin B₁ but below the federal action level for aflatoxin B₁ of 300 ppb from a beef cattle feedlot in Imperial County.

Authority: Sections 407 and 14902 of the Food and Agricultural Code.

Reference: Sections 15041, 15071, 15071.5, 15072 and 15073 of the Food and Agricultural Code.

Amend Section 2783 to read:

Section 2783. Cottonseed Products.

(cont'd)

(j) Whole cottonseed is seed remaining after the removal of fiber in the ginning process. It shall contain not more than 15.0 percent free fatty acids in the oil. It shall contain not more than 13.0 percent moisture and not more than 2.0 percent foreign material. It shall be labeled to include the maximum percent ash.

(k) Prime whole cottonseed is seed remaining after the removal of fiber in the ginning process. It shall contain not more than 3.0 percent free fatty acids in the oil. It shall contain not more than 13.0 percent moisture and not more than 2.0 percent foreign material. It shall be labeled to include the maximum percent ash.

~~(k)~~ (l) Cracked or ground pima is pima cottonseed that has been processed but from which the oil has not been extracted. It shall be labeled to include the maximum percent ash.

Authority: Sections 407 and 14902, Food and Agricultural Code.

Reference: Sections 14992, 15011, and Food and Agricultural Code.